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Chair: Mr. Gunnarsson ..... (Iceland)

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The meeting was called to order at 3.10 p.m.

Agenda item 72: Promotion and protection of human rights (*continued*)

(c) Human rights situations and reports of special rapporteurs and representatives (*continued*) (A/C.3/72/L.42 and A/C.3/72/L.54)

Draft resolution A/C.3/72/L.42: Situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine

1. **Mr. González Serafini** (Argentina) said that his delegation had abstained from voting on the grounds that the draft resolution contained a number of provisions that went beyond the remit of the Committee. Nevertheless, Argentina endorsed the recommendations made in the thematic report of the Office of the United Nations High Commissioner for Human Rights (OHCHR) on the situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol (Ukraine), and reiterated the need for human rights to be respected in accordance with the principles of international law, international human rights law and international humanitarian law. Human rights in Crimea must be upheld, in particular with regard to the allegations of violations relating to ethnic discrimination and restrictions affecting the Tatar minority. In addition, unfettered access to humanitarian assistance must be ensured everywhere, in compliance with international norms.

2. **Ms. Kirianoff Crimmins** (Switzerland) said that her delegation had voted in favour of the draft resolution, as it shared the concerns expressed by the sponsors with regard to the human rights situation in Crimea. Her delegation also supported the call made in the relevant OHCHR report for more robust international monitoring of the human rights situation in Crimea. Nevertheless, the Committee should give impartial and thorough consideration to the responsibilities of all parties involved in human rights abuses and violations of international humanitarian law. Those responsible must fulfil their obligations under international law and implement the recommendations made by the OHCHR in order to ensure that the human rights of all individuals in Crimea were respected.

3. In addition, Third Committee draft resolutions should focus foremost on social, humanitarian and human rights issues affecting people around the world, in accordance with its mandate; the draft resolution in question went beyond that purview. Switzerland would continue to support the proper consideration of country-specific situations by the Committee as well as by the Human Rights Council and its mechanisms.

4. **Mr. Sandoval Mendiolea** (Mexico) said that his delegation had abstained from voting on the draft resolution in order to avoid the politicization of humanitarian and human rights issues, since the matter of territorial integrity was not within the remit of either the Committee or the Human Rights Council. Mexico condemned any use of force or other action undermining the territorial integrity or sovereignty of any State, as territorial integrity was vital to preserving international peace and security. In that context, he recalled that his delegation had voted in favour of the earlier General Assembly resolution 68/262 on the territorial integrity of Ukraine, as it shared the concern expressed by the international community regarding the situation in Crimea and Sevastopol, and endorsed the call for preservation of the sovereignty, political independence and territorial unity of Ukraine.

5. Mexico was concerned about the significant deterioration of the human rights situation in Crimea, as well as the new type of citizenship and legal framework being imposed on its residents, which ran counter to international humanitarian law. Denials of access to Crimea by the human rights monitoring mission in Ukraine were also of concern, as the mission's mandate covered Ukraine as a whole, within its internationally recognized borders.

6. **Mr. De Souza Monteiro** (Brazil) said that his delegation had abstained in the vote. And it had expressed its concern about the gravity of the situation in Ukraine since the early stages of the crisis. Nevertheless, the text of the draft resolution did not contribute to reducing tensions between the parties concerned. Brazil urged those parties to take all necessary steps to prevent human rights violations on the ground and find a peaceful solution to the crisis. Furthermore, all relevant stakeholders must foster an environment conducive to a permanent solution to the crisis, one that respected human rights and the Charter of the United Nations.

7. **Ms. Kaszás** (Hungary) said that her delegation had voted in favour of the draft resolution, as it supported the territorial integrity, sovereignty and political independence of Ukraine, but it had been unable to join the sponsors since the draft resolution failed to adequately address Ukraine's commitment to promoting and protecting the rights of minorities in all its territories in accordance with its obligations under the relevant multilateral and bilateral agreements. Hungary remained concerned about a new Ukrainian education law which significantly limited the rights of students in secondary and higher education who belonged to national minorities to receive education in their mother tongue. Ukraine must respect the fundamental rights of

members of minority groups living under its jurisdiction.

8. **Ms. Michaelidou** (Cyprus) said that her delegation supported the sovereignty and territorial integrity of Ukraine. Cyprus had voted in favour of the draft resolution, but disassociated itself from the paragraphs relating to the Crimean Tatars, a minority whose representatives had systematically supported the secessionist entity in occupied Cyprus, in violation of Security Council resolutions and contrary to the principles that the draft resolution was meant to uphold.

9. **Mr. Christodoulidis** (Greece) said that his delegation had also voted in favour of the draft resolution, although it shared the concerns expressed by the representative of Cyprus regarding the paragraphs referring to the Crimean Tatars.

10. **Ms. Ali** (Singapore) said that Singapore had voted in line with its consistent and principled position against country-specific resolutions, which were highly selective and driven by political rather than human rights considerations. Nevertheless, its vote should not be interpreted as taking a position on the substance of the human rights issues raised in the various draft resolutions, nor did it imply any derogation from or altered position on General Assembly resolution 68/262 on the territorial integrity of Ukraine

11. **Ms. Kipiani** (Georgia) said that her delegation had voted in favour of the draft resolution and was deeply concerned by the alarming human rights situation in Russian-occupied Crimea and the city of Sevastopol, where people were subjected to discrimination, violence, extrajudicial killings, abductions, enforced disappearances and other serious violations of their basic human rights and fundamental freedoms, as reported by OHCHR. The human rights situation in Crimea had significantly deteriorated since the beginning of its occupation by the Russian Federation. The draft resolution was hence an important instrument to urge the Russian Federation to comply fully with its obligations under international law, and to allow proper and unimpeded access to Crimea for international human rights monitoring mechanisms.

Draft resolution A/C.3/72/L.54: Situation of human rights in the Syrian Arab Republic

12. **The Chair** said that the draft resolution had no programme budget implications.

13. **Mr. Al-Mouallimi** (Saudi Arabia), introducing the draft resolution, said that the situation of human rights in Syria had continued to deteriorate over the previous few months. Damascus had become a hotbed of sectarianism, Aleppo had been emptied of its inhabitants and millions of Syrians had become refugees in countries near and far. Meanwhile, Syrian forces and their allies, including Iran, the terrorist group Hizbullah and mercenaries, continued to terrorise and subjugate Syrian civilians. It was imperative to adopt the draft resolution under consideration because all the circumstances condemned in previous resolutions on the situation of human rights in the Syrian Arab Republic remained as before; there were still more than 11 million Syrian refugees and internally displaced persons, thousands of Syrians remained missing or had been buried in mass graves and an entire generation of Syrian children were still denied their right to education. Furthermore, the United Nations had proven that the Syrian armed forces had used chemical weapons against Syrian men, women and children.

14. The draft resolution condemned all human rights violations regardless, of who had perpetrated them. It also reflected the findings of United Nations reports that had concluded that the Syrian authorities bore primary responsibility for human rights violations in that country.

15. The representative of the Syrian Arab Republic would no doubt claim, as he had many times in the past, that his country was engaged in a war against terrorism. He would also make every effort to move the current debate away from the situation of human rights in his country by making baseless allegations against Saudi Arabia and the other sponsors of the draft resolution.

16. The representative of Saudi Arabia urged delegations to listen to their moral consciences and to stand by the Syrian people by voting in favour of the draft resolution. History, and future Syrian generations, would judge them harshly if they chose not to do so.

17. In closing, he proposed that, in paragraph 43 of the draft resolution, the words "halt the arbitrary detention of individuals and" should be inserted after the word "immediately". He also proposed that paragraph 47, which was identical to paragraph 39, should be deleted.

18. **Mr. Khane** (Secretary of the Committee) said that Albania, Andorra, Australia, Austria, Bahrain, Belgium, Canada, Comoros, Croatia, Czechia, Denmark, Djibouti, Estonia, Finland, France, Georgia, Germany, Iceland, Ireland, Israel, Italy, Jordan, Kuwait, Latvia, Liechtenstein, Lithuania, Luxembourg, Maldives, Malta, Mauritania, Mexico, Micronesia (the Federated States of), Monaco, Montenegro, Morocco, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Romania, San Marino, Senegal, Slovakia, Slovenia, Somalia, Spain, Sweden,

Switzerland, the former Yugoslav Republic of Macedonia, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, and Yemen had joined the sponsors. He took note of the request made by Saudi Arabia for a correction and revision of the draft resolution.

19. **Mr. Ja'afari** (Syrian Arab Republic) said that he congratulated the representative of Saudi Arabia on the fact that Israel had joined the sponsors of the draft resolution, thereby revealing the secret alliance between those two States. He also noted that Samantha Power, the former Permanent Representative of the United States of America to the United Nations, had that same day expressed her view that the United States should have long ago ended support for a Saudi-led coalition that, in addition to killing thousands of civilians, was now starving people.

20. In an interview broadcast recently by Qatari State-sponsored television, the former Prime Minister of Qatar had admitted that his country and Saudi Arabia had together spent some $137 billion to destroy Syria through terrorism. The sponsors of the draft resolution had also spent exorbitant sums to destroy Yemen, Iraq, Libya and other countries. The Saudi regime was using its vast wealth to sponsor, finance and promote terrorism and destroy the reputation of Arabs and Muslims around the world.

21. The draft resolution was sponsored by a group of countries that were politicizing the noble cause of promoting human rights. They were supporting terrorism, fomenting strife, occupying land and destroying States, without the slightest respect for the Charter of the United Nations and the principles of international law. The main sponsors were allies who conspired against one another, but worked together to sponsor international terrorism, besmirching the image of Arabs and Muslims and wreaking destruction in Syria and many other countries. The British Broadcasting Corporation (BBC) report entitled "Raqqa's dirty secret" provided one example of the hypocrisy and mendacity of those States. The so-called international coalition led by the United States of America had struck a bargain with Islamic State in Iraq and the Levant (ISIL) to evacuate thousands of ISIL fighters and transfer them to areas controlled by the Syrian army and its allies, in order to impede the liberation of Syrian territory from the terrorism supported by the Governments that were sponsoring the draft resolution. How could human rights be entrusted to such Governments?

22. It was absurd for the Saudi delegation to introduce a draft resolution concerning the situation of human rights in any country. The Al-Saud kings and princes believed that they could pervert the Charter, support terrorism and impose the rule of force and corruption on all. It would be shameful and scandalous for the Organization to give in to Saudi coercion and remain silent about the crimes of the Saudi regime, which was killing thousands of innocent civilians in Yemen and destroying that country. Saudi Arabia was the most dangerous dictatorship on the face of the Earth, using money and perverting religious values to oppress its people and support terrorism throughout the world.

23. The draft resolution reflected the hysteria and political impotence of the Saudi regime and its allies, supporters and sponsors in the face of the defeat of their Wahhabist terrorist project in Syria. The Saudi and Qatari regimes differed on everything except on continuing their support for terrorism and destroying Syria. They competed with each other in their claims to be the source of the Wahhabist extremist ideology, which was the root of their ongoing conflict.

24. The dictatorial theocratic Saudi regime had an appalling record of abusing the human and legal rights of its nationals and migrant workers. It was laughable that the regime now boasted that Saudi Arabian women would soon be allowed to drive, provided that they returned home before sunset.

25. Saudi Arabian Wahhabism was a fourth type of weapon of mass destruction, with a destructive power that exceeded that of nuclear, chemical and biological weapons combined. That extremist religious ideology had produced many victims of acts of terrorism, in countries that included Afghanistan, Belgium, France, Iraq, Libya and the United States of America.

26. The Turkish regime had played a role by helping to displace millions of Syrians, and had also used them as political bargaining chips with the European Union, sending them to drown in the Mediterranean Sea. That same regime had opened its border to tens of thousands of foreign terrorist fighters, who, according to the reports of the Security Council Analytical Support and Sanctions Monitoring Team, were nationals of more than 100 countries. Some of those terrorists had crossed the Turkish border carrying chemical weapons that had been brought from Libya to Syria with the assistance of the Turkish authorities. Those facts had been documented by independent news organizations and supported by statements made by Turkish legislators in the Turkish parliament.

27. If the Syrian people had waited for the United Nations to protect it from the terrorists, they would never have defeated ISIL and the Nusrah Front. As representatives prepared to vote on the draft resolution,

they should recall that the Syrian people and army, along with their allied forces, were fighting heroic battles in a savage war against international terrorism that was supported by the sponsors of the draft resolution. Syria was fighting that war on behalf of all States.

28. The deviant Saudi-Qatari ideology ignored the principled position of the Movement of Non-Aligned Countries that rejected all country-specific resolutions concerning human rights situations. Member States should vote against the draft resolution, in order to prevent the terrorists and their sponsors from once again attacking the Syrian people and the stability of Syria.

29. **Ms. Sison** (United States of America) said that her delegation strongly supported the draft resolution and called on all countries to vote in favour of it. Her Government welcomed the strong condemnation of the continued violations and abuses of human rights and of all violations of international humanitarian law committed by the Syrian Government and its allies. The Syrian Government remained responsible for the vast majority of the death and destruction inflicted on the Syrian people. The draft resolution rightly called attention to the reporting by the Independent International Commission of Inquiry on the Syrian Arab Republic on the human rights violations and abuses.

30. With regard to the recent and unconscionable attack on Khan Shaykhun, the Organisation for the Prohibition of Chemical Weapons (OPCW)-United Nations Joint Investigative Mechanism had confirmed that chemical weapons had been used. It was the fourth time that the Mechanism had confirmed the use of such weapons by the Assad regime. That fact underscored the brutal and horrifying barbarism of that regime and made the protection provided by Russia even more egregious.

31. The United States denounced in the strongest possible terms all such heinous acts, and reiterated its call for accountability and for a political solution to the conflict, which could be reached by an inclusive process owned and led by the Syrian people, as called for in Security Council resolution 2254 and the Action Group for Syria Final Communiqué (Geneva communiqué).

32. **Mr. Wenaweser** (Liechtenstein), speaking also on behalf of Australia, Canada, Iceland, New Zealand and Norway, said that they welcomed the emphasis that the draft resolution had placed on the need for accountability for all of the well-documented abhorrent crimes, which were serious violations of international humanitarian and human rights law and some of which might constitute war crimes or crimes against humanity.

33. It was important that such offences did not go unpunished and that the perpetrators were held accountable, irrespective of their affiliation. The delegations reiterated their call for the Security Council to refer the situation in Syria to the International Criminal Court. However, in the absence of such a referral owing to political deadlock, it was necessary to explore all avenues that could lead to closing the impunity gap.

34. The delegations welcomed the contributions of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011, as well as the support extended to it through the draft resolution under consideration.

35. **Mr. Hassani Nejad Pirkouhi** (Islamic Republic of Iran) said that the brave young man Mohsen Hojaji, who had been captured in Syria by ISIL and subsequently beheaded in front of the camera, and many others like him were the true fighters against extremism and terrorism. The blood of those comrades was on the hands of the people who had ideologically, financially and logistically supported ISIL and other terror groups in Syria and the rest of the Middle East. Those sponsors had even provided their subordinates with psychedelic drugs so that they could supposedly taste paradise while beheading Muslims and Christians in cold blood, raping Yazidi girls, burning prisoners alive and bombing crowded mosques and churches.

36. It was utterly absurd that the main sponsors of the draft resolution were also among the main sponsors of the most radical terrorist groups in Syria. It was absurd that they were regularly and shamelessly abusing the platform of the Committee to cleanse themselves of their crimes. Many people outside of the United Nations wondered how the Organization could condemn terrorists while simultaneously condemning those who fought against them.

37. As defeat loomed for groups such as ISIL in Syria, their mentors were becoming more and more worried about the thousands of their citizens fighting in the ranks of such groups as well as the billions of dollars they had spent to destabilize Governments in the region, which now seemed to be a lost investment. The incongruous accusations and condemnations laid out in the draft resolution, and particularly in its operative paragraph 28, reflected the resulting anger and hopelessness.

38. He advised other delegations that their votes on the draft resolution could be interpreted to mean they that were abetting terrorists and their allies or supporting those who fought against them on the ground. Regardless of the result of the vote, neither the draft

resolution nor its sponsors would decide the outcome of the battle. The people of Syria and the Syrian army would ultimately determine the outcome by defeating terrorists and their allies, in particular Saudi Arabia. Brave people like Mr. Hojaji would continue to stand with the people and Government of Syria in their legitimate fight against terrorism.

39. **Ms. Yalçın** (Turkey) said that the violent oppression by the Syrian regime of the democratic aspirations and legitimate demands of its people continued to threaten regional and international peace and security, and the human rights situation was deteriorating day by day. The regime had employed all instruments of violence in order to remain in power, and had punished the people brutally with chemical weapons, barrel bombs, ballistic missiles, targeted attacks on civilians, demographic change, sexual violence, arbitrary detentions, torture, starvation and sieges. The persistent lies of the representatives of the regime did not change the well-documented reality, and her delegation would not respond to the bogus allegations made by the representative of the Syrian Arab Republic. The adoption of the draft resolution could not compensate for the immense suffering of the Syrian people, but it would demonstrate once again that the international community, including Turkey, stood with them in the pursuit of accountability.

40. **Mr. Poveda Brito** (Bolivarian Republic of Venezuela) said that his country maintained its principled position of rejecting country-specific human rights resolutions, as such selectivity was politically motivated and a violation of the Charter of the United Nations. The repeated adoption of such country-specific resolutions went beyond the purview of the Committee and was a breach of the principles of universality, objectivity and non-selectivity. Dialogue with concerned States was the only effective way to promote and protect human rights. His delegation believed that human rights issues should be examined within the context of the universal periodic review and called on countries to build on the progress made since the creation of the Human Rights Council. The Bolivarian Republic of Venezuela would therefore vote against the draft resolution.

41. **Ms. Al-Thani** (Qatar) said that the deteriorating humanitarian situation in Syria continued to cause indescribable suffering for the Syrian people. The international community had a legal and moral duty to end all violations of human rights in Syria, including, in particular, those perpetrated by the Syrian regime and the terrorist group ISIL. It must, moreover, emphasize the need to abide by international humanitarian law and halt all attacks on civilians and civilian sites. The international community must also underscore its determination to prosecute those responsible for the most serious crimes perpetrated against Syrian civilians. Her delegation therefore urged all States to vote in favour of the draft resolution.

42. **Mr. Lauber** (Switzerland) said that his delegation was extremely concerned by the violations and abuses of human rights and international humanitarian law committed by all parties to the armed conflict in Syria. Although Switzerland had joined the sponsors of the draft resolution, it regretted that paragraphs 2, 12, 21, 22 and 28 weakened the broader applicability of the text.

43. Given the systematic and recurring nature of the violations, it was crucial to shed light on them and their perpetrators. The Independent International Commission of Inquiry on the Syrian Arab Republic must have access to the territory of the country, and the pursuit of the alleged responsible parties should be conducted at the national, regional or international level in order to prosecute them for the most serious violations of international law. For those reasons his delegation reiterated its long-standing call to refer the situation to the International Criminal Court, and also called on Member States to support the International, Impartial and Independent Mechanism for the Syrian Arab Republic.

Statements made in explanation of vote before the voting

44. **Mr. Ri** Song Chol (Democratic People's Republic of Korea) said that his delegation reiterated its principled position rejecting all country-specific resolutions. Human rights situations in individual countries must be discussed and resolved in an atmosphere of constructive dialogue and cooperation, while respecting national sovereignty. The universal periodic review mechanism, in which all countries were treated equally, was the appropriate forum for the discussion of human rights issues. His delegation would therefore vote against the draft resolution.

45. **Ms. Mozolina** (Russian Federation) said that her delegation would vote against the draft resolution as part of its effort to keep the Committee from being used to rubber-stamp country-specific resolutions for the sole purpose of exerting political pressure on an individual Member State. The draft resolution was a case in point. It did not reflect the tremendous progress that Syria had made in fighting terrorism and ridding its land of fighters. Rather than help to stabilize the situation in Syria, the adoption of the draft resolution would undermine international efforts to settle the conflict there, including through the peace talks in Astana.

46. Recent events in the Middle East had made it abundantly clear that geopolitical games aimed at bringing about regime change had serious consequences. The time had come to stop those games and to stop the information war against the Syrian Government and those Governments, including her own, that had come to its assistance. Terrorism had manifested itself in some form in nearly all countries, making such assistance justified and lawful. Those who were helping Syria in its fight against terrorism, rather than those who were aiding terrorist organizations, were on the right side of history.

47. Country-specific resolutions on human rights that drew on fabricated information and fake news discredited the entire United Nations human rights system. States that wished the situation in Syria to improve should vote against the draft resolution.

48. **Mr. De Souza Monteiro** (Brazil) said that his delegation would vote in favour of the draft resolution owing to its serious concerns about the grave human rights violations and abuses occurring in Syria. Nevertheless, his delegation also understood that the draft resolution remained unbalanced and did not recognize the responsibilities of all parties directly or indirectly involved in the conflict.

49. It was of paramount importance that the draft resolution was based on an objective, impartial and fact-based assessment of the situation on the ground. The draft resolution failed to contribute to a political solution to the conflict. It was high time to find common ground, provide remedies to victims, and hold perpetrators accountable through an inclusive solution, led by the Syrian people, that was non-discriminatory and fully respected human rights and fundamental human freedoms.

50. **Ms. Velichko** (Belarus) said that country-specific agenda items and resolutions stood in the way of constructive dialogue. The universal periodic review mechanism provided a means for balanced consideration of the human rights situation in every country and was the most effective way to encourage Governments to address existing human rights challenges. Belarus would vote against the draft resolution.

51. **Mr. Quintanilla Román** (Cuba) said that his country would vote against the draft resolution, which fostered a punitive approach rather than considering the interests of the country concerned. A political solution to the conflict in the Syrian Arab Republic, taking into account the interests and aspirations of the Syrian people, could not be achieved through resolutions that undermined the sovereignty and territorial integrity of the country in question. A peaceful and negotiated solution was required, and the Committee should foster such cooperation with full respect for the country's sovereignty. The international community must abandon politicized and selective practices, which only hindered the prospect of a peaceful solution in the country concerned.

52. *A recorded vote was taken on draft resolution A/C.3/72/L.54.*

In favour:

Albania, Andorra, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Barbados, Belgium, Belize, Benin, Botswana, Brazil, Bulgaria, Burkina Faso, Cabo Verde, Cameroon, Canada, Central African Republic, Chile, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czechia, Denmark, Djibouti, El Salvador, Estonia, Finland, France, Gambia, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kiribati, Kuwait, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Malta, Marshall Islands, Mauritania, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Morocco, Nauru, Netherlands, New Zealand, Norway, Palau, Panama, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Saint Kitts and Nevis, Saint Lucia, Samoa, San Marino, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Somalia, Spain, Sri Lanka, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Turkey, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu, Yemen.

Against:

Algeria, Belarus, Bolivia (Plurinational State of), Burundi, China, Cuba, Democratic People's Republic of Korea, Iran (Islamic Republic of), Iraq, Myanmar, Nicaragua, Philippines, Russian Federation, Syrian Arab Republic, Uzbekistan, Venezuela (Bolivarian Republic of), Zimbabwe.

Abstaining:

Angola, Armenia, Bangladesh, Bhutan, Bosnia and Herzegovina, Brunei Darussalam, Chad, Congo, Democratic Republic of the Congo, Dominican Republic, Ecuador, Egypt, Eritrea, Ethiopia, Fiji, Gabon, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Kazakhstan, Kenya,

Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Madagascar, Mali, Mauritius, Mongolia, Mozambique, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Rwanda, Saint Vincent and the Grenadines, Singapore, South Africa, South Sudan, Sudan, Suriname, Tajikistan, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Republic of Tanzania, Viet Nam, Zambia.

53. *Draft resolution A/C.3/72/L.54, as orally corrected and revised, was adopted by 108 votes to 17, with 57 abstentions.*

54. **Mr. Moussa** (Egypt) said that his country continued to follow developments in Syria with deep concern. It was regrettable that the Committee's consideration of draft resolutions on the human rights situation in the Syrian Arab Republic had become routine, yet the adoption of those resolutions had no impact on the situation of human rights on the ground in that country. Since 2011, Egypt had rejected all resolutions proposed under the current agenda item that were rejected by the country concerned; Egypt's decision to abstain on the vote on the draft resolution stemmed from its awareness of the complexity of the crisis in Syria, the involvement of multiple stakeholders in that crisis, and its repercussions for the entire Middle East region. As adopted, the draft resolution lacked balance. Egypt had been disappointed that a more comprehensive, non-politicized draft resolution that focused on ways to promote and protect human rights in Syria had not been proposed. In line with its well-known position, Egypt rejected the references made in the draft resolution to the International Criminal Court, and also rejected the reference to the International, Impartial and Independent Mechanism for the Syrian Arab Republic, established pursuant to General Assembly resolution 71/248.

55. **Mr. Ja'afari** (Syrian Arab Republic) said that the Turkish representative seemed to be unaware of the extent of her country's involvement in Syria. In 2013, a known terrorist in the service of the Turkish intelligence services had transported two litres of sarin from Libya to Istanbul on a civilian flight. Turkish intelligence had facilitated the entry into Syria of that individual, and the sarin had then been used in a chemical weapon attack on the town of Khan al-Asal, near Aleppo, in March 2013 and in other attacks in Syria. Mere hours after the Khan al-Asal attack, the Syrian representative had met with the Secretary-General of the United Nations and asked for assistance in identifying the perpetrators. However, after meeting with influential members of the Security Council, the Secretary-General had informed the representative that, while assistance could be provided to the Syrian Government to ascertain whether chemical weapons had, in fact, been used in the attack on Khan al-Asal, the Secretary-General would be unable to provide any assistance to help identify the perpetrators.

56. From the time when the attack had occurred, Syria had understood clearly that a decision had been taken that the perpetrators would not be identified. Indeed, certain influential States and the corrupt regimes of Saudi Arabia and Qatar had successfully derailed the work of the OPCW fact-finding mission in the Syrian Arab Republic and the OPCW-United Nations Joint Investigative Mechanism

57. He wondered how the representative of Qatar dared to speak of the human rights situation in other countries. Qatar was a small State that had no constitution or electoral system, a tribe whose members turned and plotted against one another. Meanwhile, the ruling family appropriated the country's resources and used them to support terrorism or to satisfy the whims of its princes and sheikhs. It brought in thousands of migrant workers to work in slavery-like conditions. The Qatari poet Mohammad al-Ajami had been sentenced to life imprisonment for writing a poem in which he had criticized the lack of freedoms in the country. The Qatari regime had even conspired with the Nusrah Front and ISIL to abduct United Nations Disengagement Observer Force peacekeepers in the occupied Syrian Golan.

58. As for the Saudi regime, it prohibited the building of non-Muslim houses of worship for migrant workers and foreign residents and prohibited the burial of non-Muslims on Saudi soil. It also issued fatwas that were not fit to be heard by Arabs and Muslims, or by the Committee. Qatar and Saudi Arabia competed with each other in their claims to be the origin of the criminal ideology known as Wahhabism and the greatest supporter of terrorism.

59. **Mr. Yao** Shaojun (China) said that his Government had consistently advocated the resolution of human rights disputes through constructive dialogue and cooperation on the basis of equality and mutual respect. China opposed the politicization of such issues and their use as a means of exerting pressure on countries, and opposed country-specific resolutions on human rights. His delegation had therefore voted against the draft resolution.

60. **Ms. Dagher** (Lebanon) said that, since the start of the Syrian conflict, her country had pursued a policy of maintaining its distance, in order to safeguard its unity and stability. In keeping with that policy, her delegation had once again abstained from voting on the draft resolution.

61. **Mr. González Serafini** (Argentina) said that his delegation had voted in favour of the draft resolution. Argentina was gravely concerned by the humanitarian situation in Syria and condemned the human rights abuses and acts of violence perpetrated against the civilian population. Political dialogue between the parties was the only legitimate and realistic means of achieving peace and putting an end to the violence, and significant progress had been made in the negotiations in Geneva and Astana.

62. Argentina strongly condemned the use of chemical weapons in Syria. Those responsible must be held to account and his Government supported the efforts to conduct an independent investigation within the framework of OPCW. Furthermore, supplying arms and funds to the parties to conflict would only exacerbate the suffering of the Syrian people. As his Government had stated on many occasions, including as a non-permanent member of the Security Council, the situation in Syria should be referred to the International Criminal Court.

63. Argentina reiterated its willingness to receive Syrian refugees and its commitment to strengthen its humanitarian visa programme for those affected by the conflict in Syria. His Government had provided support on the ground in the form of a White Helmets humanitarian mission.

64. **Mr. García Paz y Miño** (Ecuador), expressing concern at the deteriorating human rights situation in Syria and at the use of chemical weapons, said that his delegation condemned the human rights violations and wished to express its solidarity with the Syrian people. The principle of non-interference in the affairs of other States had not been respected and the violence had escalated, weakening the Syrian State and enabling terrorist organizations to grow stronger.

65. Ecuador was concerned that the draft resolution did not take all parties into consideration. There was no mention of other insurgent groups, especially those financed by other States, which also bore some responsibility, and the text did not contribute to a solution in which all Syrians could participate and peace would be restored.

66. Human rights situations must be addressed by the Human Rights Council, and specifically by the universal periodic review mechanism, since the draft resolution would serve only to politicize the situation. His delegation had therefore abstained from the voting.

67. **Ms. Ben Ategh** (Libya) said that her country rejected the unbalanced and politicized draft resolution. Furthermore, her Government categorically rejected the allegation made by the representative of the Syrian Arab Republic that the sarin used in chemical attacks on civilians in Syria had originated in Libya.

68. **Mr. Hassani Nejad Pirkouhi** (Islamic Republic of Iran), speaking on a point of order, said that his delegation wished to make a statement in explanation of vote after the vote. Prior to the vote, his delegation had made a general statement. Rule 128 of the rules of procedure seemed to be interpreted differently from year to year, since delegations had in the past been allowed to make both a general statement before the vote and a statement in explanation of vote after the vote, as reflected in the summary records of previous meetings.

69. **Mr. Khane** (Secretary of the Committee) said that the long-standing practice of the Committee had been to allow sponsors of draft proposals to make a general statement, since rule 128 prohibited them from speaking in explanation of vote. According to rule 128, explanations of vote could be made either before or after a vote; using the same logic, he would suggest that general statements should also be made either before or after the voting. However, a delegation should not be permitted to make a general statement prior to a vote in addition to an explanation of vote after a vote, as that would be inconsistent with the rule and the Committee's practice.

70. **Mr. Bessedik** (Algeria), speaking on a point of order, said that any practice that contradicted the rule should not be accepted. The secretariat's interpretation was not the rule, and legal advice should be sought. He requested that further clarification be provided at the following meeting if it was not possible to do so during the current meeting.

71. **Mr. Khane** (Secretary of the Committee) said that his role was to offer procedural guidance; if the Committee was not satisfied, it could seek a formal legal opinion, but that request would need to be endorsed by the Committee as a whole. He had provided an explanation of the scope of rule 128 and clarification regarding the Committee's practice, which was to allow sponsors of draft proposals to make a general statement.

72. **Mr. Hassani Nejad Pirkouhi** (Islamic Republic of Iran), speaking on a point of order, said that the secretariat's explanation was not convincing. Both the rule and the practice were clear. The practice had been to allow Member States to make a general statement, while the rule allowed them to make an explanation of vote before or after a vote. The way that the Committee conducted its business should be clear prior to the meeting, so that delegations did not have to contend with a different interpretation of the rules every year. His delegation therefore requested that the long-standing practice of the Committee be respected.

Before making his general statement before the vote, he had informed secretariat staff that he would be making a general statement, because he wished to make an explanation of vote after the voting, basing that decision on the previous year's practice. Had he known about the new interpretation, he would have delivered his explanation of vote at the same time as his general statement.

73. **The Chair** said that, on an exceptional basis, and for the current meeting only, he would permit delegations that had already delivered a statement prior to the voting to make a second statement. However, he would seek further clarification on the matter.

74. **Mr. Khane** (Secretary of the Committee) said that, as far as the secretariat was concerned, the interpretation of rule 128 had not evolved over time, nor had the practice. From time to time, a single delegation had inadvertently been permitted to make two statements when according to the rules and practice of the Committee they should have made only one.

75. **Mr. Hassani Nejad Pirkouhi** (Islamic Republic of Iran) said that the main sponsor of the draft resolution, Saudi Arabia, did not have the moral competence to lecture others on human rights, given its shameful human rights record at home and abroad. Paragraph 28 of the draft resolution lumped together, falsely labelled and condemned the very people who were fighting terrorism in Syria, in what was nothing more than an act of revenge against the forces that had been most effective in combating terrorism and violent extremism on the ground. The wording of the paragraph amounted to a reward for violent extremism and terrorism as well as their supporters, who had nurtured them with Takfiri ideologies and provided them with financial and logistical resources. The two Iranian forces mentioned in paragraph 28 were part of the regular armed forces of the Islamic Republic of Iran and were deployed in Syria on an exclusively advisory basis at the formal invitation of that Government to fight the terrorist onslaught in Syria. Such mockery by those who had traditionally been the powerhouse of extremism and intolerance, when that intolerance was, in turn, the main source of violent extremism and terrorism, was repulsive. The draft resolution would not dissuade his country from combating violent extremism and terrorism, and it was determined to continue fighting to rid the region of terrorists who sowed fear and exported it to the entire world.

76. **Mr. Al-Mouallimi** (Saudi Arabia) thanked all Member States that had voted in support of the draft resolution. As expected, the Syrian representative had declined to say one word about his country's appalling human rights record and had, instead, made baseless allegations about Saudi Arabia and the other sponsors. However, the numerous errors regarding Saudi Arabia that he had made in his speech betrayed his profound ignorance of that country and its rulers. As for the representative of the Islamic Republic of Iran, he should remember that his country continued to persecute its Sunni Ahwazi Arab minority and was responsible for hundreds of thousands of deaths. He had also contradicted himself by claiming that the Iranian forces in Syria were there only on an advisory basis, while also claiming that those forces were in Syria to fight terrorism. The international community was well aware of the terrorism and killings perpetrated by Iran; the adoption of the draft resolution established a legitimate basis for dealing with that country and its allies.

77. **Ms. Al-Thani** (Qatar) said that the adoption of the draft resolution made clear that the international community would not remain silent in the face of the serious human rights violations in Syria, which were an affront to the conscience of humanity. The efforts of the Syrian representative would not deter Qatar from shouldering its legal and moral responsibility with respect to the situation of human rights in Syria. Qatar reiterated its support for the legitimate aspirations of the Syrian people for freedom, dignity and self-determination, in keeping with the Charter of the United Nations and international law.

78. **Mr. Saito** (Japan), welcoming the adoption of the draft resolution, said that his delegation was gravely concerned by the human rights situation in Syria, which had deteriorated severely and where civilians suffered indiscriminate attacks. He condemned in the strongest terms the use of chemical weapons and said that it was the responsibility of the international community and all of humanity to ensure that those responsible were held to account. Fact-finding and accountability processes relating to the use of chemical weapons in Syria had yet to be completed and the mandate of the OPCW-United Nations Joint Investigative Mechanism should be renewed. With regard to paragraph 28, it was important to remain objective in draft resolutions and not to lose sight of their original aims or make them overly politicized.

79. **Ms. Lind** (Estonia), speaking on behalf of the States Members of the European Union; the candidate countries Albania and Montenegro; and in addition, Ukraine, said that the European Union was appalled by the grave human rights violations in Syria. It condemned the systematic, widespread and gross violations of human rights and violations of international humanitarian law committed by all parties to the conflict, particularly the Syrian regime and its allies,

and called for an immediate end to attacks on civilians and civilian infrastructure. The European Union condemned in the strongest possible terms the use of chemical weapons and the atrocities committed by ISIL and other United Nations-designated terrorist groups, and reaffirmed its strong commitment to defeating them.

80. All those responsible for breaches of international humanitarian law and human rights law, some of which might constitute war crimes or crimes against humanity, must be brought to justice. Impunity for such crimes was unacceptable and the European Union would continue to support efforts to gather evidence for future legal action. The European Union renewed its call for the Security Council to refer the situation in Syria to the International Criminal Court.

81. The European Union strongly supported the efforts of the Independent International Commission of Inquiry on the Syrian Arab Republic and the International, Impartial and Independent Mechanism for the Syrian Arab Republic, and encouraged the two bodies to cooperate further. It also urged the Syrian regime to cooperate with those mechanisms and to grant them unhindered access to the country.

82. The Syrian regime's appalling use of sarin nerve agent in Khan Shaykhun had resulted in the deaths of at least 80 people. The use of chemical weapons by anyone, whether State or non-State actors, was contrary to international law. The European Union fully supported the work of OPCW and United Nations investigators and urged the Security Council to maintain the investigative capacity of the OPCW-UN Joint Investigative Mechanism.

83. The primary purpose of the draft resolution was to urge respect for human rights and international humanitarian law, including the protection of all civilians. Human rights resolutions must remain objective and not become politicized. The dire human rights and humanitarian situation in Syria deserved a resolution with broad support, and the European Union was concerned that the list in paragraph 28 of foreign forces supporting the Syrian authorities might detract from that. The common objective was to advance the political track under United Nations auspices, which was the only way to bring peace to Syria and put an end to the suffering of the Syrian people. There could be no military solution to the conflict.

84. Strong commitment to democracy and inclusive government was the only way to ensure lasting respect for human rights. The States members of the European Union were committed to ensuring a peaceful transition, in accordance with Security Council resolution 2254 (2015) and the 2012 Geneva communiqué. Only once an inclusive political transition was firmly under way would the European Union be able to assist with the reconstruction of the country both directly and through international organizations, which would enable the millions of Syrians who had been forced to flee their homes to return and live in peace and security.

85. **Ms. Yalçın** (Turkey) said that her delegation welcomed the adoption of the draft resolution but rejected in their entirety the allegations made by the Syrian Arab Republic regarding Turkey. They were spurious allegations made by a regime that had lost its legitimacy a long time previously. The overwhelming support shown for the draft resolution spoke for itself.

86. **The Chair** said that, on an exceptional basis, he had allowed delegations to make two statements under the present agenda item. However, his position in future would be that, pursuant to rule 128 and the Committee's practice, whenever a vote was announced, delegations might make only one statement, either before or after the vote, regardless of whether it was a general statement or an explanation of vote.

The meeting rose at 5.20 p.m.